

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA**

JOHN WAGNER,

Petitioner,

v.

**Civil Action No. 5:07cv96
(Judge Stamp)**

WARDEN, USP-MARION,

Respondent.

ORDER DIRECTING PETITIONER TO FILE AMENDED PETITION

On July 30, 2007, the Court received a letter from the petitioner, a federal inmate, in which he asserts that the Bureau of Prisons ("BOP") is improperly computing his federal sentence. The petitioner attaches to his letter, copies of his attempts to have his sentence "corrected" through the BOP's administrative procedures. Because the petitioner seeks the Court's help with his sentence computation, the letter and attached documents were construed as a Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2241 and filed accordingly.

Although the petitioner's letter and attached documents are neatly written and otherwise legible, the Court finds that it would be beneficial for the petitioner to set forth his claims on the standard § 2241 form utilized by this Court. Accordingly, the **Clerk** is directed to send the petitioner a blank § 2241 form. Moreover, because the petitioner has not paid the required \$5.00 filing fee or filed a request to proceed as a pauper, the **Clerk** shall also send the petitioner the forms necessary for requesting *in forma pauperis* ("IFP") status. The petitioner shall have **thirty (30) days** from the date of this Order to file his amended petition and to either pay the \$5.00 filing fee or file the

completed IFP forms.¹ The failure to do so in the allotted time could result in the dismissal of this case without further notice.

IT IS SO ORDERED.

The Clerk is directed to send a copy of this Order to the *pro se* petitioner by certified mail, return receipt requested, to his last known address as shown on the docket. The Clerk is further directed to provide copies of this Order to all counsel of record, as applicable, as provided in the Administrative Procedures for Electronic Case Filing in the United States District Court for the Northern District of West Virginia.

DATED: August 7, 2007.


JOHN S. KAUL
UNITED STATES MAGISTRATE JUDGE

¹ The amended petition should be clearly marked, "Amended Petition."